

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	CONSENT PRELIMINARY ORDER
- v. -	:	OF FORFEITURE/
	:	<u>MONEY JUDGMENT</u>
FRANKLIN MEJIA MARTINEZ,	:	
	:	21 Cr. 408 (VSB)
Defendant.	:	
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WHEREAS, on or about June 16, 2021, FRANKLIN MEJIA MARTINEZ, was charged in a one-count Indictment, 21 Cr. 408 (VSB) (the “Indictment”), with narcotics conspiracy, in violation of Title 21, United States Code, Section 846 (Count One);

WHEREAS, the Indictment included a forfeiture allegation as to Count One of the Indictment, seeking forfeiture to the United States, pursuant to Title 21, United States Code, Section 853, of any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of the offense charged in Count One of the Indictment, and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the offense charged in Count One of the Indictment, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offense charged in Count One of the Indictment;

WHEREAS, on or about June 5, 2021, the Government seized \$14,511 in United States currency from a purse located in a vehicle occupied by the Defendant (“Seized Currency-1”);

WHEREAS, on or about June 6, 2021, the Government seized \$55,920 in United States currency from a home located on Carl Miller Boulevard, Camden, New Jersey (“Seized Currency-2”);

WHEREAS, on or about June 6, 2021, the Government seized \$19,500 in United States currency from a residence located on Norris Street, Camden, New Jersey (the “Seized Currency-3”, collectively, with Seized Currency-1 and Seized Currency-2, the “Seized Funds”);

WHEREAS, on or about March 14, 2022, a Declaration of Administrative Forfeiture was entered forfeiting all right, title and interest in Seized Currency-3 to the Government;

WHEREAS, on or about March 16, 2022, a Declaration of Administrative Forfeiture was entered forfeiting all right, title, and interest in Seized Currency-1 to the Government;

WHEREAS, on or about April 20, 2022, a Declaration of Administrative Forfeiture was entered forfeiting all right, title and interest in Seized Currency-2 to the Government;

WHEREAS, on or about October 12, 2021, the Defendant pled guilty to Count One of the Indictment, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Count One of the Indictment and agreed to forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of the offense charged in Count One of the Indictment and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense charged in Count One of the Indictment; and

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$89,931 in United States currency, representing the amount of proceeds traceable to the offense charged in Count One of the Indictment that the Defendant personally obtained;

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney, Assistant United States Attorney, Rebecca T. Dell of counsel, and the Defendant, and his counsel, Matthew J. Kluger, Esq., that:

1. As a result of the offense charged in Count One of the Indictment, to which the Defendant pled guilty, a money judgment in the amount of \$89,931 in United States currency (the "Money Judgment"), representing the amount of proceeds traceable to the offense charged in Count One of the Indictment that the Defendant personally obtained, shall be entered against the Defendant.

2. Upon entry of this Consent Preliminary Order of Forfeiture/Money Judgment, the Seized Funds shall be applied in full satisfaction of the Money Judgment.

3. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant, FRANKLIN MEJIA MARTINEZ, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

4. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

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5. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: Rebecca T. Dell
Rebecca T. Dell
Assistant United States Attorney
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2198

4/25/2022
DATE

FRANKLIN MEJIA MARTINEZ
By: Franklin Mejia Martinez
Franklin Mejia Martinez

4/26/22
DATE

By: Matthew J. Kluger, Esq.
Matthew J. Kluger, Esq.
Attorney for Defendant
Law Office of Matthew J. Kluger
888 Grand Concourse, Suite 1H
Bronx, NY 10451
(718) 293-4900

4/26/2022
DATE

SO ORDERED:
HONORABLE VERNON S. BRODERICK
HONORABLE VERNON S. BRODERICK
UNITED STATES DISTRICT JUDGE

4/26/22
DATE